

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JOINT MOTION TO FILE
A BRIEF IN EXCESS OF PAGE LIMIT

Plaintiff, Malibu Media, LLC (“Plaintiff”), by and through undersigned counsel, and pursuant to Local Rule 7, hereby files its Joint Motion to File a Brief in Excess of Page Limit (“Motion”), and in support thereof, states:

1. This is a case for copyright infringement arising under United States Copyright Act of 1976, as amended, 17 U.S.C. §§ 101 et seq.
2. Defendant filed an Answer to Plaintiff's Complaint on December 19, 2019 asserting fourteen (14) affirmative defenses [CMECF 14].
3. Plaintiff has filed a Motion to Strike Defendant's Affirmative Defenses and supporting Brief [CM/ECF 16].
4. Plaintiff's Brief is 22 pages total, including the caption, signature page, certificate of conference, and certificate of service.
5. Due to the number of affirmative defenses (14), Plaintiff is unable to narrow the page count without prejudicing its ability to fully argue its Motion to Strike Defendant's Affirmative Defenses.

6. Defendant's Response to Plaintiff's Motion to Strike Affirmative Defenses is also expected to be in excess of the page limits set forth in the Local Rules.

7. Good cause exists in granting this motion.

8. This Motion is made in good faith and no party will be prejudiced by thereby.

WHEREFORE, Plaintiff requests the Court enter an order allowing Plaintiff to file a Brief in excess of the page limit, 20 pages, excluding the case caption, signature block, and certificate of service, and for Defendant to file a Response in excess of the page limit, 20 pages, excluding the case caption, signature block, and certificate of service.

Dated: January 14, 2020

Respectfully submitted,

By: /s/ Paul S. Beik
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CERTIFICATE OF CONFERENCE

I hereby certify that, on January 13, 2020, I contacted opposing counsel of record, JT Morris, via phone to confirm whether Defendant is opposed to the relief requested in this motion. Mr. Morris requested that the motion also include additional relief including Defendants request to also exceed the page limit. Mr. Morris communicated that Defendant is agreed to the relief requested in this motion.

By: /s/ Paul S. Beik
PAUL S. BEIK

CERTIFICATE OF SERVICE

I hereby certify that, on January 14, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Paul S. Beik
PAUL S. BEIK